

MINUTES OF LITTLE YELDHAM, TILBURY JUXTA CLARE AND OVINGTON
ANNUAL PARISH COUNCIL MEETING HELD AT THE VILLAGE HALL,
LITTLE YELDHAM ON TUESDAY, 15th MAY 2018 AT 8 P.M.

In the chair: Mr. K. R. Nott

Present: Mr. R. S. Brookes, Mr. R. Bryant, Mr. W. P. Clayton, Mr. P. J. Gentry,
Mr. M. Graham, Mrs. R. K. Marsh and Mr. G. Thomas.
Mr. A. Corder-Birch (Clerk)
Mrs. I. Parker (District Councillor)
Together with 1 (one) member of the public

1. APOLOGIES FOR ABSENCE

Mrs. A. L. Gardiner (holiday), Mrs. J. Lushington (holiday), Mr. P. E. Pawsey (holiday) and Mr. D. Finch

2. TO CO-OPT NEW COUNCILLOR TO FILL CASUAL VACANCY

It was reported that no electors had requested an election and in the circumstances as the relevant time limit had expired the Parish Council could exercise its powers of co-option. Mr. Peter Gentry was the only applicant to fill the vacancy. It was proposed by Mr. M. Graham, seconded by Mrs. R. K. Marsh and carried that Mr. Gentry is co-opted onto the Parish Council to fill the vacancy. Mr. Gentry thanked Councillors for their support.

3. DECLARATION OF ACCEPTANCE OF OFFICE

Mr. Gentry signed his Declaration of Acceptance of Office, which was countersigned by the Clerk.

4. DECLARATIONS OF INTERESTS

There were no declarations of interests.

5. ELECTION OF CHAIRMAN

It was proposed by Mr. W. P. Clayton, seconded by Mrs. R. K. Marsh and carried that Mr. K. R. Nott is re-elected as Chairman for the ensuing year. The Chairman signed his Declaration of Acceptance of Office, which was countersigned by the Clerk.

6. ELECTION OF VICE CHAIRMAN

It was proposed by Mr. M. Graham, seconded by Mr. G. Thomas and carried that Mr. W. P. Clayton is re-elected as Vice Chairman for the ensuing year.

7. ELECTION OF REPRESENTATIVES TO OTHER ORGANISATIONS

The following representatives were elected:

Little Yeldham Village Hall Committee	Mr. M. Graham and Mrs. J. Lushington
Belchamp St. Paul Community House	Mr. P. E. Pawsey
Airfield Joint Action Group and BDC	
Airfield Liaison Group	Mr. P. E. Pawsey
EALC Meetings	Chairman & Vice Chairman
BALC Meetings	Chairman & Vice Chairman
Public Rights of Way: Little Yeldham	Mrs. A. L. Gardiner & Mr. M. Graham
Tilbury Juxta Clare	Mr. R. S. Brookes
Ovington	Mr. P. E. Pawsey

Tree Wardens:	Little Yeldham	Mrs. R. K. Marsh
	Tilbury Juxta Clare	Mr. G. Thomas
	Ovington	Mr. P. E. Pawsey
Planning:	Little Yeldham	Mr. P. Gentry
	Tilbury Juxta Clare	Mr. G. Thomas
	Ovington	Mr. K. R. Nott
Emergency Planning:	Little Yeldham	Mr. P. Gentry
	Tilbury Juxta Clare	Mr. R. Bryant
	Ovington	Mr. K. R. Nott
Highway defects	Little Yeldham	Mr. W. P. Clayton
	Tilbury Juxta Clare	Mr. R. S. Brookes
	Ovington	Mr. P. E. Pawsey

8. MINUTES OF PREVIOUS PARISH COUNCIL MEETING

The minutes of the previous Parish Council Meeting held on 13th March 2018, having been circulated, were taken as read, were confirmed and duly signed by the Chairman as a correct record.

9. MATTERS ARISING FROM THOSE MINUTES

a) ECC Supporting Communities Fund

The Clerk reported that following very persuasive representations from Mr. D. Finch and Mrs. J. Darby, Chief Executive of EALC and upon consulting the Chairman and Councillors, he had submitted an application, with all supporting documentation to apply for a grant for grass and hedge cutting in the three villages, which will be considered by the Panel on 15th June.

b) Telephone kiosks

Mr. W. P. Clayton reported that painting in BT red of the three telephone kiosks had commenced and would be completed during the summer. It was agreed that the crowns, which exist on all three kiosks should be highlighted with gold paint. The Clerk reported that he had arranged insurance cover for the three kiosks, which the PC Insurers had added to the street furniture section of the policy and no extra premium was payable.

There were no other matters arising.

10. CORRESPONDENCE

The correspondence received and listed in appendix one was referred to Councillors for information and the contents noted.

11. ACCOUNTS

The Clerk reported receipt of the following amounts:

Braintree District Council – Street Cleansing Agreement		£1217.17
Braintree District Council – One half of Precept	£3096.00	
Braintree District Council – Localism Fund	£489.00	
Braintree District Council – Collection Fund Surplus	<u>£97.00</u>	£3682.00
The following accounts were presented for payment:		
Essex Association of Local Councils – Affiliation fee for 2018-2019		£167.44
BHIB Limited – Insurance premium		£570.99
Tilbury Juxta Clare PCC – Use of Tilbury Church for meeting		£20.00
Suffolk County Council		
(Dedham Vale and Stour Valley Project) – annual grant		£25.00

Colne Stour Countryside Association – annual subscription		£10.00
Campaign to Protect Rural England – annual subscription		£36.00
Mr. A. Corder-Birch – net salary	£447.00	
petty cash	<u>£100.00</u>	£547.00
HMRC		£120.00
Essex Pension Fund – pension contributions		£179.40

It was proposed by Mr. G. Thomas, seconded by Mr. M. Graham and carried that the above accounts are paid.

12. AUDIT AND APPROVAL OF ACCOUNTS FOR YEAR 2017-2018

The Clerk reported that he had completed and balanced the accounts for the year 2017-2018 and Mr. A. J. Money had completed the internal audit. The account book was circulated to Councillors. It was proposed by Mr. G. Thomas, seconded by Mr. R. Brookes and carried that the accounts are approved and that the Parish Council has fully complied with the annual governance statement set out on page 5 of the annual return for the year ended 31st March 2018. The Clerk reported that the external audit of the accounts by PKF Littlejohn LLP would take place on 4th June 2018 and that he would now send the annual return and necessary papers to them.

13. STREET CLEANSING CONTRACT 2018-2019

The Clerk reported that he had renewed the Street Cleansing Contract with BDC for the year 2018-2019 and the Parish Council had received the sum of £1217.17, which was a 2% increase over the previous year. It was agreed that the Clerk should order the four skips for August Bank Holiday weekend. The Clerk reported that the dates for channel sweeps in the three villages had been advertised on the PC website.

14. MATTERS ARISING FROM TILBURY ANNUAL PARISH MEETING

There were no matters arising.

15. TO REVIEW REGISTER OF MEMBER'S PERSONAL INTERESTS

The Clerk reminded Councillors to review their Register of Member's Personal Interests forms and to notify the Monitoring Officer at BDC of any changes.

16. BROADBAND REPORT

Mrs. J. Lushington had forwarded relevant emails the contents of which were noted. It was agreed to defer this item to a future meeting to enable Mrs. Lushington to give a further report.

17. TO CONSIDER GENERAL DATA PROTECTION REGULATIONS

The Parish Council considered the General Data Protection Regulations (GDPR) which is due to come into force on 25th May 2018. The Clerk had previously forwarded to councillors all information and circulars received from the Information Commissioner's Office, NALC, EALC, SLCC and other sources, which was carefully perused. Although much of the documentation notes current EU regulations, curiously the GDPR legislation will still apply after the UK leaves the EU. The former requirement that Parish Councils appoint a Data Protection Officer is now subject to change in legislation by the Government and Parish Councils are now exempt. In the circumstances it was resolved to take no action regarding the appointment of a Data Protection Officer, which is no longer a requirement. It was unanimously resolved to comply with the legislation concerning GDPR and to follow

the model supplied to Parish Councils, with the exception of appointing a Data Protection Officer. As the Parish Council is not a burial authority, does not run a village hall or allotments, the information held is very limited. It comprises very basic personal information of names, postal and email addresses for councillors, which is not shared with anyone else. Councillors gave their consent for this essential information to continue to be held. All out of date and unnecessary information is being deleted and destroyed, as advised.

18. BRAINTREE DISTRICT COUNCIL REPORT

Mrs. I. Parker reported upon the following:

- a. The Local Plan – Part 1, which includes Garden Communities, may not be resolved for another 3 or 4 months. Part 2 for all other communities cannot proceed until Part 1 is complete.
- b. The BDC Housing target is 750 houses year, which is an increase of 300%, which BDC has to prove it can deliver (build) for up to 5 years. BDC can grant permissions but has no control over the numbers actually built.
- c. Economic development – BDC is investing money through the purchase of buildings to try and provide employment, rather than money in the bank.
- d. Tourism is continuing to be promoted.
- e. Broadband – BDC cabinet has agreed to invest £365,000 in broadband improvements, which the Government will match fund. Users were advised that if improved broadband is not available from County Broadband to apply to Superfast Broadband, which may be able to assist.
- f. BDC has allocated another £1,500 for District Councillors to spend in their wards.
- g. The Community Safety Partnership between BDC, GCH, Police and other parties, which has been successful.
- h. Potholes are being reported.
- i. The lack of kerbs on part of the corner at Hall Green, Little Yeldham is being looked at and funding applied for.

The Chairman asked why BDC is taking over 6 months (August 2017 to April 2018) to determine some planning applications. It leaves BDC open to appeals against it for non-determination and potential claims. Mrs. Parker advised that BDC has had to consider some very large and complex applications and appeals, which had been very time consuming. The Government had recently allowed Planning Authorities to increase fees, which will allow BDC funds to recruit more staff to clear the backlog.

The Chairman raised the issue lack of representation for Parish Councils and residents when the District Councillor is also a member of the BDC Planning Committee. He considered that Councillors first responsibility is to represent the electorate rather than being a member of a committee. Mrs. Parker explained that she has argued strongly upon recent Little Yeldham planning applications and that her views usually align with those of the Parish Council and that she has voted accordingly.

Councillors raised highway safety issues, particularly an unsafe access, arising from two recent planning applications concerning Sewells Farm. The change of position by ECC Highways, between the two applications, was deplored. Mr. D. Finch had made it clear that BDC is ultimately responsible for determining planning applications and that ECC is only a consultee on highway considerations and does not have any power to direct BDC. However Mrs. Parker considered that with highway issues BDC should not go against ECC Highway Officer's judgment and referred to the costs implications of losing an appeal.

In connection with other planning issues in Little Yeldham, Mrs. Parker reported that BDC is now fully aware of the significance of the former LSA estate and had provided for no infill between former LSA houses in the recent Local Plan.

Arising from this Mr. P. Gentry enquired about the application for an Article 4 direction to remove PD rights from piggeries on the former LSA estate. Mrs. Parker had raised this with Mrs. T. Lambert of BDC who had advised that this will not apply to piggeries in the same ownership as the adjacent house and that piggeries had to be in separate ownership. BDC considered that if piggeries were ancillary to a dwellinghouse there was no commercial use, but councillors considered that this was not necessarily the case and quoted a couple of examples. Concern was expressed that some piggeries now have a commercial use even if in the same ownership as the adjacent dwelling. A loophole remained particularly as the deadline had been extended. Mrs. Parker agreed to check the position with Mrs. Lambert, particularly with regard to class B8 piggeries in the same ownership as the dwellinghouse.

The Chairman thanked Mrs. Parker for her report and for answering questions.

19. ESSEX COUNTY COUNCIL REPORT

In the absence of Mr. D. Finch no report was given, but a written report had previously been circulated for the three annual parish meetings.

(Mr. R. Brookes, Mr. R. Bryant, Mr. G. Thomas and Mrs. I. Parker left the meeting)

20. TO CONSIDER THE FOLLOWING PLANNING APPLICATION

18/00325/FUL – 55 Little Yeldham Road, Little Yeldham – Demolition of existing outbuilding and construction of new cart-lodge

Mr. P. Gentry reported upon the representations made by the PC in connection with the first application against a dormer window, larger footprint and height. The revision in the second application had removed the dormer window but the larger footprint and height remained. It was resolved to make the following objections:

- a. The larger footprint
- b. The increase in height
- c. There should be no windows in the storage area.

21. ANY OTHER BUSINESS

There was no other business.

There being no further business the meeting closed at 9.05pm

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(Date)

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(Chairman)